

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Xin XIE et al.

Application No.: 10/538,443

Filed: (Int'l) December 31, 2002

For: MAGNETISM BASED NUCLEIC ACID
AMPLIFICATION

Confirmation No.: 3904

Art Unit: 1637

Examiner: Stephanie K. Mummert

PRELIMINARY AMENDMENT AND REQUEST FOR CONTINUED EXAMINATION

MS RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

This Preliminary Amendment accompanies a Request for Continued Examination for the above-referenced application. A final Office Action was mailed on November 27, 2009, for which a response was due on February 27, 2010. Filed herewith is a Petition and fee for a three-month extension of time, thereby extending the deadline for response to May 27, 2010. Accordingly, this response is timely filed. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

Amendments to the Claims are reflected in the claims which begin on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.